

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>SHEET METAL WORKERS</b>	)	
<b>INTERNATIONAL ASSOCIATION</b>	)	
<b>LOCAL 268, ET AL.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 22-cv-1148-DWD</b>
	)	
<b>ENSKAT MECHANICAL, LLC,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM AND ORDER**

**DUGAN, District Judge:**

On July 26, 2022, a Notice of Impending Dismissal for Want of Prosecution was entered directing Plaintiffs, Sheet Metal Workers International Association Local 268, Sheet Metal Air, Rail, and Transportation Workers International Association Local 268 Amended Pension Trust, Jeff Bauer, Jon Lepere, Jonathan Mentz, Brian Langhauser, Brad McPherson, Phil Halliday, Sheet Metal Workers Association Local 268 Welfare Plan, Sheet Metal Workers Local Union No. 268 Joint Apprenticeship and Training Committee, Greg Reynolds, Walter House, and Local 268 of the International Association of Sheet Metal, Air, Rail, and Transportation Workers Vacation Trust, to request an entry of default against Defendant Enskat Mechanical, LLC by August 16, 2022 (Doc. 13).

The Notice advised Plaintiffs that a failure to make a request for default pursuant to Rule 55 of the Federal Rules of Civil Procedure would result in the dismissal of Plaintiffs' case for want of prosecution (Doc. 13). To date, the Court has received no

further correspondence concerning this matter. Accordingly, the Court will dismiss this matter without prejudice for failure to prosecute. See [Fed. R. Civ. P. 41\(b\)](#); [James v. McDonald's Corp.](#), 417 F.3d 672, 681 (7th Cir. 2005) (under Rule 41(b) a court has authority to dismiss an action with prejudice for failure to prosecute if a party does not provide a timely response to a court order).

This action is therefore **DISMISSED, without prejudice**. The Clerk of Court is **DIRECTED** to enter judgment accordingly and close this case.

**SO ORDERED.**

Dated: September 1, 2022

/s/ David W. Dugan  
DAVID W. DUGAN  
United States District Judge